

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JERRY LEON DEES, JR.,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.:
v.)	2:07-cv-00306-MHT-CSC
)	
HYUNDAI MOTOR MANUFACTURING)	
ALABAMA, LLC, and HYUNDAI MOTOR)	
AMERICA, INC.,)	
)	
Defendants.)	

**DEFENDANTS' MOTION TO AMEND SUBMISSION ORDER
TO ALLOW FOR SUMMARY JUDGMENT REPLY BRIEF**

Defendants Hyundai Motor Manufacturing Alabama, LLC (HMMA) and Hyundai Motor America, Inc. (“HMA”) (collectively “Defendants”), through undersigned counsel, respectfully file this motion to amend the summary judgment submission Order (Doc. 72) in order to allow for the filing of a reply brief. In support of their motion, Defendants state:

1. Defendants’ motion for summary judgment (Doc. 67) is currently pending. On December 17, 2007, the Court entered an Order (Doc. 72) which sets the motion for submission of January 4, 2008, without oral argument, and with any opposing brief and evidentiary materials due by that date.

2. This Order does not afford Defendants an opportunity to file a reply brief in connection with Plaintiff’s anticipated opposition response. Because Defendants bear the burden of proof regarding their dispositive motion, they wish to have an opportunity to address any opposition argument and/or evidence presented by Plaintiff.

3. Defendants believe their Reply, if any, can be filed by January 11, 2008 (seven (7) calendar days from the current submission deadline). Defendants further believe that such a Reply will assist the Court in its analysis of evidence and related argument, without undue delay of the deliberative process.

THEREFORE, for good cause shown, Defendants respectfully requests that this Court amend its submission Order to allow Defendants to file a summary judgment Reply Brief not later than January 11, 2008.

Respectfully submitted this 19th day of December, 2007.

/s/ J. Trent Scofield

J. Trent Scofield (SCO-024)
T. Scott Kelly (KEL-053)
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
One Federal Place, Suite 1000
1819 Fifth Avenue North
Birmingham, AL 35203-2118
Tel.: (205) 328-1900
Fax: (205) 328-6000
E-mail: trent.scofield@odnss.com
E-mail: scott.kelly@odnss.com

Matthew K. Johnson
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
P.O. Box 2757
Greenville, SC 29602
Tel.: (864) 271-1300
Fax: (864) 235-8806
E-mail: matthew.johnson@odnss.com

Attorneys for Defendants Hyundai Motor
Manufacturing Alabama, LLC and
Hyundai Motor America, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of December, 2007, I electronically filed the foregoing *Defendants' Motion to Amend Submission Order to Allow for Summary Judgment Reply Brief* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: W. Perry Hall, Vincent F. Kilborn, III, David Allen McDonald, Jeffrey Rayborn Sport, T. Scott Kelly, and Matthew K. Johnson.

/s/ J. Trent Scofield
J. Trent Scofield (SCO-024)
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
One Federal Place, Suite 1000
1819 Fifth Avenue North
Birmingham, AL 35203-2118
Tel.: (205) 328-1900
E-mail: trent.scofield@odnss.com